

# **EXHIBIT H**

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION

HITUL GANDHI, individually )  
and on behalf of a class of )  
others similarly situated, )  
Plaintiff, )  
vs. ) CASE NO.  
DELL, INC., and DELL ) 1:08cv-00248-ss  
MARKETING USA L.D., )  
Defendants. )  
\_\_\_\_\_  
ORIGINAL

DEPOSITION OF:

RASHA SHANDAE DOWELL

Taken on Behalf of the Defendants

January 7, 2009

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VOWELL & JENNINGS, INC.  
207 Washington Square Building  
214 Second Avenue North  
Nashville, Tennessee 37201  
(615) 256-1935

1 A. No.

2 Q. Do you remember who the trainer was?

3 A. He was Russian and they called him  
4 Jan, but that was like short for his real  
5 name.

6 Q. Was he here in Nashville?

7 A. Yes.

8 Q. Was he a specialized trainer just for  
9 EPP?

10 A. He started out as a consumer trainer  
11 and then I'm guessing he was trained for EPP  
12 and then he trained EPP.

13 Q. Now, was EPP -- do you know who, where  
14 it fit in the overall structure of Dell, how  
15 it was -- what?

16 A. They considered it under the business  
17 umbrella.

18 Q. Okay. And how long did you work in  
19 EPP?

20 A. The whole time, June until February.

21 Q. Why did you leave?

22 A. I was laid off.

23 Q. What reason?

24 A. Our department was being closed out of  
25 Nashville and all of EPP was going to Round

1 A. Jan did the part of inputting your  
2 time into the Chronus (phonetic) system.  
3 Toni was the one who was the key for the  
4 compensation and then HR did the benefits.

5 Q. And what did Jan -- what was your  
6 understanding of what you were supposed to do  
7 on inputting time?

8 A. That we were supposed -- when you come  
9 in the morning, you put in the time that you  
10 come in. When you go to lunch, you put in  
11 the time you went to lunch. When you come  
12 back, you put in that time. And then when  
13 you go home, you put in that time. You  
14 weren't supposed to wait until like the next  
15 day to input the day before.

16 Q. Did you try to do that on a regular  
17 basis?

18 A. Yes.

19 Q. Now, as I understand the way Chronus  
20 worked, if you had wanted to you could have  
21 waited until the last day and go back and put  
22 all your time in?

23 A. Right.

24 Q. But you always tried to do it on the  
25 very same day?

1 A. Yes.

2 Q. Would you try to put in those four  
3 times each day, when you started, when you  
4 left for lunch, when you came back and --

5 A. Yes.

6 Q. And as far as you know the time you  
7 recorded was accurate?

8 A. Right, unless something happened.  
9 Like during the times of mandatory overtime,  
10 it was crazy. So I might have left lunch and  
11 not knowing what time I went to lunch and  
12 then just came back and then I would just  
13 look at my schedule to see what time I was  
14 scheduled for lunch and I'd input that exact  
15 time.

16 Q. Do you think all the hours that you  
17 reported, that you got paid for those?

18 A. As far as just the regular 40 hours,  
19 yes. Overtime I was paid for, but I don't  
20 think I was paid enough for it.

21 Q. So -- and that's one of the things  
22 that's helpful in the discovery process is to  
23 find out what your particular issues are,  
24 because different people have different ones.

25 And your concerns with what went on is

1 the amount you were paid for the overtime?

2 A. Right.

3 Q. Is there anything else?

4 A. No.

5 Q. Okay. And tell me exactly what your  
6 concern was about the amount that you were  
7 paid for your overtime?

8 A. As far as the overtime goes I believe  
9 the overtime should have been paid at time  
10 and a half and not at half time.

11 Q. And when did you first discover that  
12 it was not being paid at time and a half?

13 A. When I tried to calculate it, it  
14 didn't come out right. And I'm not a math  
15 person, so I just kind of was like, okay,  
16 whatever. And then here recently going back  
17 over and looking at it and given the  
18 information that, hey, you weren't paid at  
19 time and a half, then I realized, like, okay,  
20 I remember that now; I wasn't.

21 Q. So what would you have used to try to  
22 calculate it yourself, the information on  
23 your pay stub?

24 A. Right.

25 Q. Did you have direct deposit?

1 to the phones?

2 A. No.

3 Q. It would be after you signed on to the  
4 phones?

5 A. Yes.

6 Q. What would you do with the phones  
7 while you were having the meeting?

8 A. You would just log in to the phone,  
9 but you wouldn't auto into the point of where  
10 you were taking calls. It would just let --  
11 it would just let the system know, and the  
12 department that calculated attendance to know  
13 that we were there and that we were on time.

14 Q. So you would sign into the phone but  
15 leave it in some category so calls wouldn't  
16 get started forwarding?

17 A. Right.

18 Q. And you would put that time in your  
19 Chronus -- you'd show that time in Chronus as  
20 well?

21 A. Yes.

22 Q. When you went to turn on your  
23 computer, how long did that normally take to  
24 get up and running?

25 A. Normally our computers would already

1 be on. All you'd have to do would be to log  
2 into them. And since we didn't share  
3 computers, there wasn't really any reason for  
4 us to log off unless IT sent us an e-mail  
5 that said we're doing updates tonight, then  
6 you would log off your computer.

7 Q. So the standard operating procedure  
8 was just leave your computer running when you  
9 left at night?

10 A. Yes.

11 Q. So theoretically once you got there  
12 and sat down you were ready to go?

13 A. Yes.

14 Q. Do you know if other groups or  
15 departments did the same way?

16 MR. DAMERON: Objection. Calls  
17 for speculation. You can answer.

18 THE WITNESS: Not sure.

19 BY MR. FOX:

20 Q. Okay. Did you ever hear anyone talk  
21 about how employees were supposed to  
22 calculate time if they did work at home?

23 A. No.

24 Q. Didn't hear one way or another?

25 A. No.